

REMARKS

Request for Reconsideration

Applicants have carefully considered the matters raised by the Examiner in the outstanding Office Action but remain of the opinion that patentable subject matter is present. Applicants respectfully request reconsideration of the Examiner's position based on the above amendments to the claims, the enclosed Terminal Disclaimer and the following remarks.

Claims Status

Claims 22 to 101 are pending in this Application.

Claims 93-101 have been amended herein to correct their dependency as noted by the Examiner in Section 4 on page 3 of the Office Action. Respectfully, no new matter has been added by way of this amendment.

Double Patenting Rejection

Claims 45-67 and 85-101 have been rejected on the basis of non-statutory obviousness-type double patenting in view of U.S. Patent No. 6,503,581. A Terminal Disclaimer to the '581 Patent is submitted herewith. The appropriate

government fee for the Terminal Disclaimer is paid concurrently herewith.


Claim Rejection 35 USC 112

Claims 93-101 had been rejected as indefinite and the Examiner had suggested amending each of these claims with respect to their dependence. Such a suggestion is appreciated and has been adopted herein.

Conclusion

In view of the foregoing, it is respectfully submitted that the Application is in condition for allowance and such action is respectfully requested. Should any additional fees or extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit account #02-2275.

Respectfully submitted,
LUCAS & MERCANTI, LLP

By: 
Donald C. Lucas, Reg. # 31,275
(Attorney for Applicants)
475 Park Avenue South
New York, New York 10016
Tel. # (212) 661-8000

DCL/mr

Attached: Terminal Disclaimer